

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

FILED BY CLERK

JULY 18 2007

COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,)	
)	
Appellee,)	2 CA-CR 2005-0433
)	DEPARTMENT B
v.)	<u>MEMORANDUM DECISION</u>
)	Not for Publication
STEVEN BRADLEY RADY,)	Rule 111, Rules of
)	the Supreme Court
Appellant.)	
_____)	

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. CR-20044625

Honorable Frank Dawley, Judge Pro Tempore

AFFIRMED

Robert J. Hooker, Pima County Public Defender
By John F. Palumbo

Tucson
Attorneys for Appellant

E C K E R S T R O M, Presiding Judge.

¶1 A jury found Steven Rady guilty of second-degree burglary, sexual abuse, and two counts of sexual assault. The trial court sentenced Rady to consecutive, partially mitigated terms of imprisonment totaling sixteen years. Counsel has filed a brief citing *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396 (1967); *State v. Leon*, 104 Ariz. 297,

451 P.2d 878 (1969); and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), and stating he has reviewed the record in its entirety and could find no arguable issues to raise. Rady has not filed a supplemental brief.

¶2 Pursuant to our obligation under *Anders*, we have reviewed the record and have found no fundamental error. The evidence of Rady's guilt was overwhelming. The victim immediately identified him when shown a photographic lineup containing his picture, and the supervisor of the deoxyribonucleic acid (DNA) section of the crime laboratory testified that DNA found on vaginal swabs taken from the victim matched Rady's extremely rare DNA profile, one carried by only one in one hundred twenty quintillion people. Indeed, defense counsel conceded in his opening statement that Rady was guilty of three of the offenses. Rady challenged only one sexual assault charge, and the jury resolved the conflicts in the evidence on that count against him.

¶3 Accordingly, we affirm Rady's convictions and sentences.

PETER J. ECKERSTROM, Presiding Judge

CONCURRING:

JOHN PELANDER, Chief Judge

GARYE L. VÁSQUEZ, Judge